

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

JANS, INC., a New Mexico Corporation,
d/b/a Cartwright's Plumbing,

Case No. 17-11269-ja11
Chapter 11

Debtor.

DEBTOR IN POSSESSION'S MOTION TO SCRAP VEHICLES

The Debtor in Possession, JANS, Inc., a New Mexico Corporation d/b/a Cartwright's Plumbing (the "**Debtor**"), by counsel, pursuant to 11 U.S.C. § 363(b), and other applicable law, if any, moves the Court to enter an Order authorizing the Debtor to scrap certain vehicles (as defined below), and in support hereof, states:

1. Commencement of the Case. On May 18, 2017 (the "**Petition Date**"), the Debtor commenced this bankruptcy case by filing a voluntary petition for relief under Chapter 11 of the Bankruptcy Code. Pursuant to Bankruptcy Code §§ 1107(a) and 1108, Debtor has retained possession of its assets as Debtor in Possession.

2. Jurisdiction and Venue. The Court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding under 28 U.S.C. § 157(b)(2). Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The Vehicles. On July 7, 2017, the Debtor filed *Amended Schedules A/B, and Statement of Financial Affairs* (Doc. No. 48), which, *inter alia*, disclosed it owned the following vehicles: (i) a 2002 Chevy Express G3500, VIN# 1GCHG39RX21203203; (ii) a 2001 Ford E350 Cargo Van, VIN# 1FTSE34L41HB48798; and (iii) a 2007 Chevy Express, VIN# 1GCGG29V271125364 (together, the "**Vehicles**"). The Vehicles are beyond repair and estimated each to have a scrap value of \$100.00. The Debtor is not aware of any liens on any the Vehicles.

4. Proposed Recycling of the Vehicles. By this Motion, the Debtor seeks authority from the Court to scrap and recycle the Vehicles with Mr. G's Recycling in exchange for the aggregate value of the scrapped material totaling \$300.00. The Debtor will not be charged towing costs.

6. The Proposal is fair and equitable, and is in the best interests of and beneficial to the Debtor's estate and the creditors. The Debtor has researched and analyzed the value of the Vehicles and believes recycling the Vehicles is in the best interest of the estate. Given the inoperative condition of the Vehicles, recycling the Vehicles is a reasonable and cost-effective alternative that will eliminate towing expenses the Debtor would otherwise incur to dispose of the Vehicles.

WHEREFORE, the Trustee requests that the Court enter an order authorizing the Debtor to scrap and recycle the Vehicles with Mr. G's Recycling in exchange for the aggregate value of the scrapped material totaling \$300.00 and for all other just and proper relief.

Respectfully submitted,

ASKEW & MAZEL, LLC

By: /s/ filed electronically

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Attorneys for the Debtor in Possession

I hereby certify that on this 7th day of July 2017, I filed the foregoing pleading electronically through the CM/ECF system, which caused all counsel of record to be served.

s/ Filed electronically

Daniel A. White